

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73478

This is to certify that: ROYDEN O CAPPS And/Or
 MINA R CAPPS
 BOX 45
 LEMHI ID 83465
 (208)756-6195

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-1031	AJC/Decreed	04/01/1927	0.44 cfs	N/A	N/A	22.0	BASIN CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-1031	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-1031	74-1031	0.44 cfs	N/A	N/A	22.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.44 cfs	N/A	N/A	22.0	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of November, 2007

Shelley W. Keen
 for _____
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 74-1031
As Modified by Transfer No. 73478**

In accordance with the approval of Transfer No. 73478, Water Right No. 74-1031 is now described as follows.

Right Holder: ROYDEN O CAPPS And/Or
MINA R CAPPS
BOX 45
LEMHI ID 83465

Priority Date: April 01, 1927

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.44 CFS
			0.44 CFS

LOCATION OF POINT(S) OF DIVERSION:

BASIN CREEK	L2 (NWNE)	Sec. 3	Twp 17N	Rge 23E	LEMHI County
BASIN CREEK	SENE	Sec. 4	Twp 17N	Rge 23E	LEMHI County
BASIN CREEK	SESE	Sec. 35	Twp 18N	Rge 23E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	2		6.0			7.0											13.0	
18N	23E	35														3.0	6.0	9.0	

Total Acres: 22

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 74-1031
As Modified by Transfer No. 73478

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 30th day of November, 2007

Shelley W. Keen
for Chief, Water Allocation Bureau